

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bruno VEDRINE et al.	Attorney Docket No. 029440.00009 Confirmation No. 4793
Appl. No.:	10/529,654	Art Unit: 1641
Filing Date:	May 31, 2005	Examiner: JUNG, Unsu
Title:	METHOD FOR DETECTING AND COUNTING MICRO-ORGANISMS IN A SAMPLE	

RESPONSE TO SUPPLEMENTAL ELECTION OF SPECIES REQUIREMENT

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Date: February 25, 2008

Sir:

This responds to the Supplemental Election of Species Requirement mailed January 29, 2008, a response to which is due February 29, 2008. Applicants do not believe any fees are due. In the event this is not the case, Applicants hereby authorize the Commissioner to charge any fees or credit any overpayment to the undersigned's Deposit Account No. 08-1641, referencing Attorney Docket No. 029440.00009.

By the Response to Election of Species Requirement filed November 2, 2007, Applicants elected, without traverse, the following species:

- List I: Species B, Step c) takes place after step b);
- List II: Species A, adding to a microorganism's enrichment medium at least one non-fluorescent substrate specific to enzymes;
- List III: Species A, xanthenes;

List IV: Species A, fatty acid; and

List V: Species A, flow cytometry.

Claims 1-6 and 8-20 are readable on the elected species. Claim 7 has been withdrawn from further consideration.

The examiner requires a further election of species. In response, Applicants hereby elect, without traverse, Species A, *Listeria monocytogenes*. The claims readable on the elected claims are claims 1-6 and 8-20. Claim 7 has been withdrawn from consideration.

Please see the following listing of claims after this response to election, and amendments mandated by the election.

A current listing of the claims begin on page 3 of this response.

Remarks begin on page 7 of this response.